



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4662

by Rep. Rosemary Mulligan

SYNOPSIS AS INTRODUCED:

815 ILCS 315/1

from Ch. 121 1/2, par. 1901

815 ILCS 315/3 new

Amends the Check Cashing Act. Limits the amount of the penalty that a casino-based electronic check cashing service may recover from a person who writes a check that is dishonored.

LRB095 17128 AMC 43182 b

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Check Cashing Act is amended by changing
5 Section 1 and adding Section 3 as follows:

6 (815 ILCS 315/1) (from Ch. 121 1/2, par. 1901)

7 Sec. 1. Definitions. As used in this Act:

8 "Merchant" means a person, firm, association, partnership
9 or corporation primarily engaged in the business of selling
10 tangible personal property at retail.

11 "Casino-based electronic check acceptance service" means
12 any check-guarantee, check-acceptance, check-co-signing, or
13 check-risk-management service that is performed by a firm that
14 is engaged in the financial service industry or in any branch
15 of the financial service industry, provided that the service is
16 performed as part of a transaction involving a check that takes
17 place on a riverboat subject to the Riverboat Gambling Act, or
18 within 1,000 feet of any such riverboat.

19 (Source: P.A. 85-997.)

20 (815 ILCS 315/3 new)

21 Sec. 3. Casino-based electronic check acceptance services.
22 Notwithstanding any provision of this Act to the contrary, if a

1 casino-based electronic check acceptance service has taken
2 part in a casino-based transaction involving a check that is
3 dishonored, the casino-based electronic check acceptance
4 service may recover from the person who wrote the check an
5 amount equal to the amount of actual damages plus a fee equal
6 to (1) 20% of the face value of the check or (2) \$5, whichever
7 is greater. Notwithstanding any law to the contrary, a
8 casino-based electronic check acceptance service may not
9 recover treble damages from a person who writes a check for use
10 in a casino-based transaction that is dishonored.